

BOARD OF APPEAL REFERRALS

November 12, 1981

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700 Wm. T. Morrissey Boulevard, Dorchester

MEMORANDUM

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: Robert J. Ryan, Director

SUBJECT: BOARD OF APPEAL REFERRALS

November 12, 1981

Hearing: 11/17/81

Z-5389-5390
Stanley Canner
23 Leseur Road & 281 Fairmount Ave, Hyde Park.

Two 2½ story structures.

District(s): apartment _____ general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family S-.3 _____ manufacturing _____

Purpose: erect one story addition and change occupancy from barn to one family dwelling; subdivide; erect 100' antenna on concrete pad.

Violation(s):
Section

- 14-1 Lot area is insufficient
- 18-1 Front yard is insufficient
- 20-1 Rear yard is insufficient
- 20-1 Antenna, not accessory, is not allowed in required rear yard

Proposal would legalize one family dwelling on Fairmount Ave, convert barn on Leseur Road to one family dwelling and erect kitchen addition. No objection as conversion would improve structure and neighborhood.

However, construction of 100 foot antenna tower on 8'x8' concrete pad is a serious concern especially to immediate abuttor. Tower is inappropriate and would have an adverse impact on residential area. Recommend approval of subdivision, conversion, addition; denial of antenna tower.

VOTED: In reference to petitions Z-5389-5390, brought by Stanley Canner, 23 Leseur Road & 281 Fairmount Ave, Hyde Park, for four variances to erect a one story addition, change occupancy from barn to one family dwelling, erect antenna on concrete pad and subdivide in a single family (S-.3) district, the Boston Redevelopment Authority recommends approval of subdivision, conversion, addition and denial of

Hearing: 11/17/81

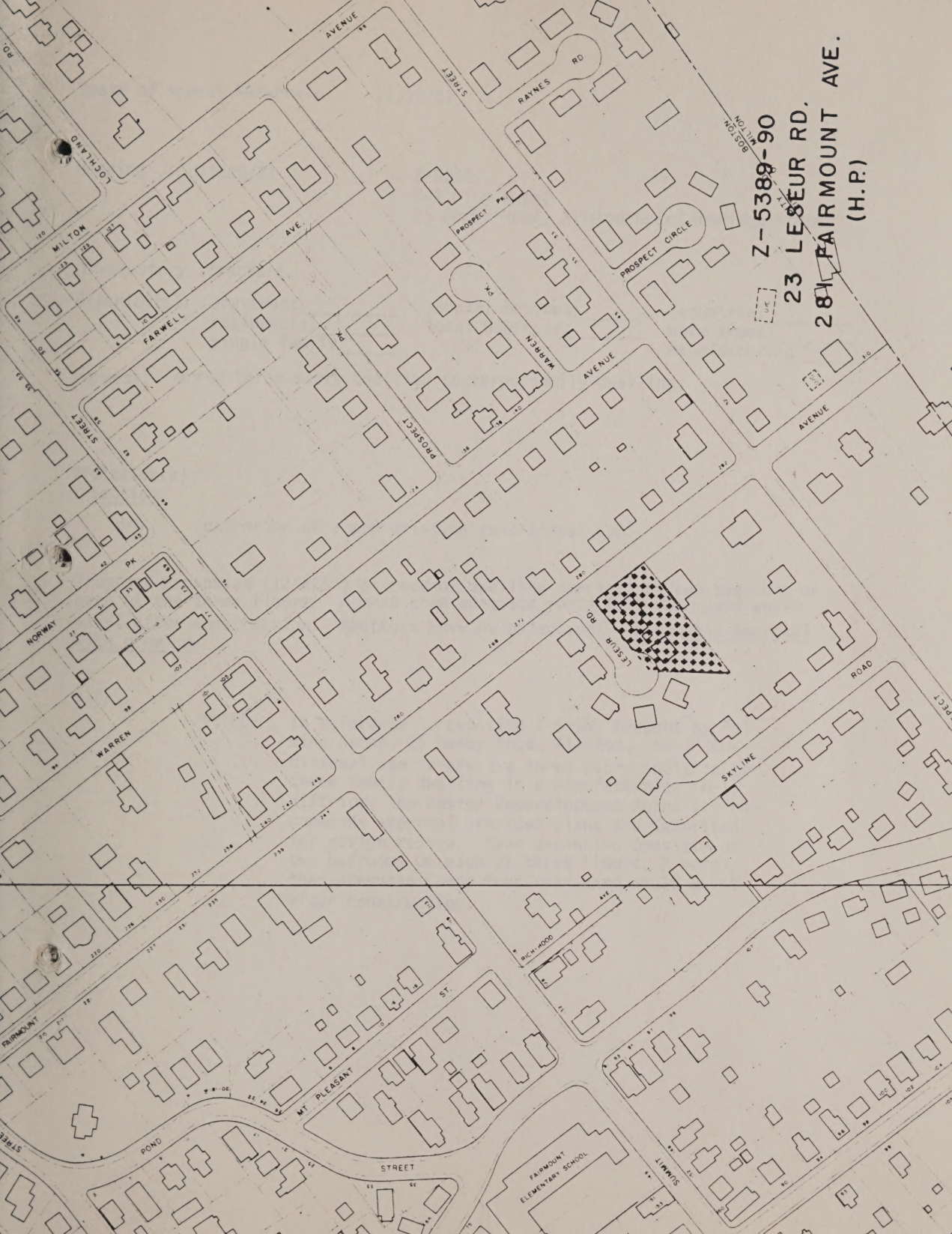
Z-5389-5390

Stanley Canner

23 Leseur Road & 281 Fairmount Ave., Hyde Park

Two 2½ story structures.

antenna tower. Change of barn to residential occupancy will improve structure and neighborhood. Construction of tower is a serious concern especially to immediate abuttor. Tower is inappropriate and would have an adverse impact on residential area.



Z-5389-90
23 LESEUR RD.
28 FAIRMOUNT AVE.
(H.P.)

Board of Appeal Referrals

11/12/81

Hearing: 11/24/81

Z-5393

Pui Ning Kwong

15 Denby Road, Allston, near Cambridge Street

Three story structure.

District(s): apartment _____ general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing M-1

Purpose: erect three story addition to three family dwelling.

Violation(s):

Section

8-6 extension of a pre existing conditional use.

Proposed expansion (12'x25') at rear of dwelling consists of two bedrooms on each of the three floors. A more than adequate forty foot rear yard would exist after construction. Abutters have no objections. Recommend approval with proviso.

VOTED: In reference to petition Z-5393, brought by Pui Ning Kwong, 15 Denby Road, Allston, for a conditional use to erect a three story addition to three family dwelling in a manufacturing (M-1) district, the Boston Redevelopment Authority recommends approval provided plans are submitted for design review. Rear expansion consists of two bedrooms on each of three floors. A more than adequate forty foot rear yard would exist after construction.



Z-5393

15 DENBY RD.
(ALLSTON)

Board of Appeal Referrals 11/12/81

Hearing: 11/24/81 Z-5396
Luke Realty Trust
42-46 Charles St, Dorchester, near Ditson St.

Two story structure.

District(s): apartment _____ general business _____ industrial _____
residential R-.8 _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: legalize occupancy: wholesale distribution of bakery goods, office, repair shop, truck repair shop, indoor parking for fee.

Violation(s):
Section

- 8-7. Wholesale distribution of bakery goods is forbidden in an R-.8 district
- 8-7. Repair shop garage is forbidden in an R-.8 district
- 9-2. Change in a nonconforming use.

Bakery, office, repair shop uses have existed for many years.

On street parking of trucks is a neighborhood concern. Petitioner would improve his adjoining vacant lot for parking to alleviate the condition. Recommend approval with proviso.

VOTED: In reference to petition Z-5396, brought by Luke Realty Trust, 42-46 Charles St, Dorchester, for two forbidden uses and change in a nonconforming use to legalize occupancy for wholesale distribution of bakery goods, office, repair shop, truck repair shop, and indoor parking for fee in an residential (R-.8) district, the Boston Redevelopment Authority recommends approval with the following proviso: that petitioner clean and maintain his adjoining vacant lot for parking of trucks to alleviate neighborhood concern (on street truck parking). Bakery, office, repair shop uses have existed for many years.



Z-5396
42-46 CHARLES ST.
(DOR.)

Board of Appeal Referrals

11/12/81

Hearing: 11/17/81

Z-5405

Ray Skillman, Jr, Trustee

758-760 Shawmut Avenue, Roxbury at Ruggles St.

Vacant Land.

District(s): apartment _____ general business _____ industrial _____
 residential _____ local business L-1 waterfront _____
 single family _____ manufacturing _____

Purpose: erect one story structure for sale of fruits and vegetables.

Violation(s):

Section

8-7. Outdoor sale or display for sale of agricultural produce is conditional in an L-1 district.

18-4. Front yard is insufficient.

It is proposed to erect a 12'x20' frame structure on concrete foundation for sale and display of fruits and vegetables. Site is inappropriate. Use would have an adverse effect on the neighborhood (parking, litter, noise) and is contrary to the Lower Roxbury planning objectives. Residents and Lower Roxbury Community Corporation have indicated opposition. Recommend Denial.

VOTED: In reference to petition Z-5405, brought by Ray Skillman, Jr, Trustee, for a conditional use and variance to erect a one story structure for sale of fruits and vegetables in a local business (L-1) district, the Boston Redevelopment Authority recommends denial. Site is inappropriate. Use would have an adverse effect on the neighborhood (parking, litter, noise) and is contrary to the Lower Roxbury planning objectives.



Board of Appeal Referrals 11/12/81

Hearing: 11/24/81 Z-5406
Thomas Hewitt
7-9 Centre St, Roxbury near Eliot Square

Vacant Land.

District(s): apartment _____ general business _____ industrial _____
residential _____ local business L-1 waterfront _____
single family _____ manufacturing _____

Purpose: use premises for outdoor sale and display of nine used motor vehicles.

Violation(s):
Section

8-7. Outdoor sale or display for sale of used motor vehicles is forbidden in an L-1 district.

Proposal is contrary to City Planning Policy for revitalization of the Highland Park Area and objectives of the Eliot Square Commercial Area Card Plan. Automotive use would seriously impact adjacent residential neighborhood. Opposition exists. Recommend denial.

VOTED: In reference to petition Z-5406, brought by Thomas Hewitt, 7-9 Centre Street, Roxbury, for a forbidden use to use premises for outdoor sale and display of used cars in a local business (L-1) district, the Boston Redevelopment Authority recommends denial. Proposal is contrary to City Planning Policy for revitalization of the Highland Park Area and objectives of the Eliot Square Commercial Area revitalization district. Automotive use would seriously impact adjacent residential neighborhood.



Z 5406
7-9 CENTRE ST.
(POY.)

JOHN ELIOT SQUARE

MORLEY STREET

HIGHLAND AVENUE

MORLEY SQUARE

ROXBURY

GARDEN STREET

ANTA TERRACE

CENTRE ST.

AVENUE

CENTRE STREET

COLUMBUS

CELANA

NEW MARKET

STREET

STREET

MARTIN

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Hearing: 11/12/81

Z-5408
Donald E Butterfield
48a-48 Gloucester St, Boston.
near Beacon St.

Three story structure.

District(s): apartment _____ general business B-10-155 industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: change occupancy from two apartments & store to two apartments & ice cream store-parlor.

Violation(s):
Section

8-7. Restaurant is conditional in a B-10-155 district.

Site is inappropriate. Use would tend to have an adverse impact (parking, traffic litter, noise) on the mixed residential-commercial street. Recommend denial.

VOTED: In reference to petition Z-5408, brought by Donald E Butterfield, 48a-48 Gloucester St, Boston, for a conditional use for change of occupancy from two apartments and store to two apartments and ice cream store-parlor in a general business (B-10-155) district, the Boston Redevelopment Authority recommends denial. Site is inappropriate. Use would tend to have an adverse impact (parking, traffic, litter, noise) on the mixed residential-commercial street.

48(A) - 48 GLOUCESTER ST.
(B.P.)

(B.P.)

Board of Appeal Referrals 11/12/81

Hearing: 11/24/81

Z-5411

Sears Roebuck & Co

241 Brookline Ave, Boston, at Park Drive.

Vacant land.

District(s): apartment H-1 general business _____ industrial _____
 residential _____ local business _____ waterfront _____
 single family _____ manufacturing _____

Purpose: use premises for parking for fee - 219 vehicles.

Violation(s):

Section

8-7. Parking lot is forbidden in an H-1 district.

18-1. Front yard is insufficient.

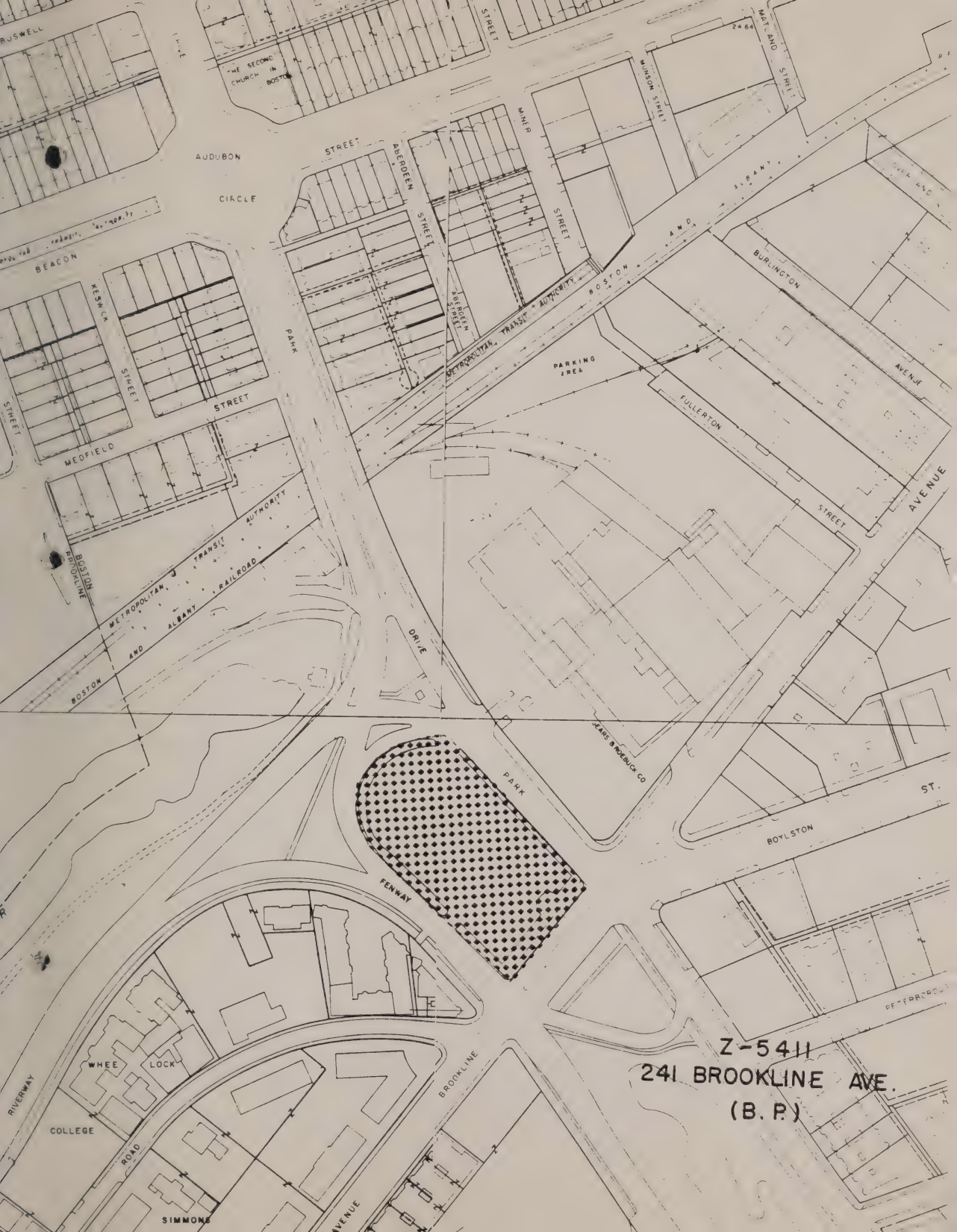
18-4. Front yard is insufficient.

19-6. Side yard is insufficient.

No fee parking lot is presently used by Sears customers Monday thru Saturday.

Proposal would allow lot to be used for fee parking by Red Sox patrons on Sundays and legal holidays. Petitioner would also lease 15 spaces to adjacent Riverway Condominium Association residents. Recommend approval with provisos.

VOTED: In reference to petition Z-5411, brought by Sears Roebuck & Co, 241 Brookline Ave, Boston, for a forbidden use and three variances to use premises for parking of 219 vehicles for fee in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval with following provisos: that fee parking for Red Sox patrons be limited to Sundays and legal holidays; that petitioner assist neighboring commercial establishments during normal business hours by providing customers off street parking; that use extend to petitioner only and expire upon sale, lease or other disposition of the property.



Z-5411
241 BROOKLINE AVE.
(B.P.)

Board of Appeal Referrals 11/12/81

Hearing: 11/24/81

Z-5412

Marvin Smith, Trustee
393 Commonwealth Avenue, Boston
near Massachusetts Avenue

District(s): apartment H-3-65 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Change occupancy to nine professional offices; erect one-story addition.

Violation(s):
Section

8-6. Change in pre-existing conditional use.

Use by prospective tenant, an expert in musical instruments, is proposed for administrative offices and conference room. Recommend denial.

VOTED: In reference to petition Z-5412, brought by Marvin Smith, Trustee, 393 Commonwealth Avenue, Boston, for a conditional use for change of occupancy to nine professional offices and erect one-story addition in an apartment (H-3-65) district, the Boston Redevelopment Authority recommends denial.



Board of Appeal Referrals 11/12/81

Hearing: 11/24/81

Z-5413

Barbara F Bowlen, Marjorie Q McIntire
Diane M Jackson

195 Havre St, East Boston, near Porter Street

Three story structure.

District(s):	apartment <u>H-1</u>	general business _____	industrial _____
	residential _____	local business _____	waterfront _____
	single family _____		manufacturing _____

Purpose: legalize occupancy - three apartments & real estate office

Violation(s):

Section

8-7.(40) Real estate office is forbidden in an H-1 district.

No record of legal occupancy. Three family dwelling is consistent with neighborhood residential character. Real estate office, operated by owner-resident, would be located in first floor front room with entrance from interior hall. No opposition.
Recommend approval with proviso.

VOTED: In reference to petition Z-5413, brought by Barbara F Bowlen, Marjorie Q McIntire, Diane M Jackson, 195 Havre Street, East Boston, for a forbidden use to legalize occupancy for three apartments and real estate office in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval with proviso that real estate office signage be limited to one window sign in place only during operating hours. Three family dwelling is consistent with neighborhood residential character. Real estate office will be located in first floor front room with entrance from interior hall.



Z-5413
195 HAVRE ST.
(E. B.)

Board of Appeal Referrals

11/12/81

Hearing: 12/ 1/81

Z-5414

Albertina L St Louis
 26 Parker Street, Charlestown, near Cambridge
 Street.

Three story structure.

District(s): apartment H-1 general business _____ industrial _____
 residential _____ local business _____ waterfront _____
 single family _____ manufacturing _____

Purpose: legalize occupancy: three family dwelling.

Violation(s):

Section

- 8-7 Dwelling converted for more families which does not meet the requirements of lot area is forbidden in an H-1 district.
- 14-2 Lot area is insufficient.
- 14-3 Lot width is insufficient.
- 14-4 Street frontage is insufficient.

Three family occupancy has existed for many years, but there is no record of legal occupancy. Abutters and neighbors support legalization. Recommend approval.

VOTED: In reference to petition Z-5414, brought by Albertina L St Louis, 26 Parker Street, Charlestown, for a forbidden use and three variances to legalize occupancy as three family dwelling in an apartment (H-1) district the Boston Redevelopment Authority recommends approval. Three family occupancy has existed for many years and is consistent with surrounding residential properties.

Z-5414

26 PARKER ST.
(CHSN.)

SOMERVILLE



Hearing: 11/14/81

Z-5417-5418

Janis Casale & Howard Olikier
20-22 & 24 Shannon St, Brighton, near
Washington St.

Three story structure; 2½ story structure.

District(s):	apartment_____	general business_____	industrial_____
	residential R-.8_____	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: subdivide into two lots to secure conventional mortgage.

Violation(s):
Section

- 14-1 Lot area is insufficient.
- 14-4 Street frontage is insufficient.
- 18-1 Front yard is insufficient.
- 19-1 Side yard is insufficient.
- 20-1 Rear yard is insufficient.

Subdivision of three family and two family dwellings would not adversely impact residential neighborhood. Non-conformity will not be increased. No objections.
Recommend approval.

VOTED: In reference to petitions Z-5417-5418, brought by Janis Casale & Howard Olikier, 20-22 & 24 Shannon Street, Brighton, for eight variances to subdivide in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval. Subdivision of three family and two family dwellings would not adversely impact residential neighborhood.



2-5417-18

20-22-24 SHANNON ST.
(BRI.)

Board of Appeal Referrals 11/12/81

Hearing: 11/24/81

Z-5430-5431
Michele Ferullo
7 Filomena Road and 120 Birch Street,
Roslindale

2½-story structure

District(s):	apartment_____	general business_____	industrial_____
	residential R-.5_____	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: subdivide; erect two-family dwelling to rear of present structure.

Violation(s):
Section

- 14-2. Lot area is insufficient.
- 14-4. Street frontage is insufficient.
- 18-1. Front yard is insufficient.
- 20-1. Rear yard is insufficient.

Several abutters are opposed. Concerns are petitioner's maintenance of existing dwelling and access. Inadequate site plan does not indicate access from street. Recommend denial without prejudice.

VOTED: In reference to Petitions Z-5430-5431, brought by Michele Ferullo, 7 Filomena Road and 120 Birch Street, Roslindale, for five variances to subdivide and erect a two-family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends denial without prejudice. Several abutters are opposed. Concerns are petitioner's maintenance of dwelling and access. Inadequate site plan does not indicate access. Petitioner should meet with neighbors to alleviate concerns.



Z-5430-31
7 FILDORF RD
120 BIRCH ST
(ROS.)

Board of Appeal Referrals 11/12/81

Hearing: 11/24/81

Z-5432

New England Deaconess Hospital
193 Pilgrim Road, Boston near Francis Street.

Hospital complex.

District(s): apartment H-2 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: erect one story & basement addition to hospital structure.

Violation(s):

Section

15-1. Floor area ratio is excessive.

Addition will accommodate administrative offices, computer rooms and similar uses.
Floor area ratio increase is minimal, 3.63 to 3.67. No adverse impact or opposition.
Recommend approval with proviso.

VOTED: In reference to petition Z-5432, brought by New England Deaconess Hospital, 193 Pilgrim Road, Boston, for a variance to erect a one story and basement addition to a hospital structure in an apartment (H-2) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review. Floor area ratio increase is minimal. No adverse impact.



Z-5432
193 PILGRIM ROAD
(B.P.)

HARVARD
MEDICAL
SCHOOL

CHILDREN
HOSPITAL

BRIGHAM YOUNG
MEDICAL BUILDING

CHILDREN'S
HOSPITAL

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MEDICAL BUILDING

CHILDREN'S
HOSPITAL

Board of Appeal Referrals

11/12/81

Hearing: 11/24/81

Z-5436

Columbia Pontiac Toyota Co Inc
700 Wm T Morrissey Blvd, Dorchester, at Victory
Road.

One story structure.

District(s): apartment _____ general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing M-1

Purpose: erect one story addition to auto sales & service center - garage structure.

Violation(s):

Section

18-1. Front yard is insufficient.

Automotive property fronts on Morrissey Blvd, and abuts Freeport Street in rear. Proposed five bay truck service garage will allow petitioner to accommodate General Motors Truck Service-Dealership. Clam Point Association community group has no objections. Recommend approval.

VOTED: In reference to petition Z-5436, brought by Columbia Pontiac Toyota Co Inc, 700 William T Morrissey Blvd, Dorchester, for a variance to erect a one story addition to auto sales & service center-garage structure in a manufacturing (M-1) district, the Boston Redevelopment Authority recommends approval. Yard violation will not affect properties in this commercial area.



Z-5436
700 Wm T MORRISSEY
(DOR.) BLVD.